

SB0661



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB0661

Introduced 1/28/2015, by Sen. John G. Mulroe

SYNOPSIS AS INTRODUCED:

New Act

Creates the Hepatitis C Screening Act. Provides that every individual born between the years of 1945 and 1965 who receives health services from a hospital as an inpatient or in the emergency department of a hospital or who receives primary care services in an outpatient department of a hospital or who receives health services from a health care practitioner providing primary care shall be offered a hepatitis C-related test, unless the health care practitioner providing the services reasonably believes that certain conditions are present. Effective January 1, 2016.

LRB099 05873 JLK 25921 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning public health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Hepatitis C Screening Act.

6 Section 5. Definitions. In this Act:

7 "Department" means the Department of Public Health.

8 "Director" means the Director of Public Health.

9 "Health care practitioner" means a physician licensed to
10 practice medicine in all its branches, a physician assistant,
11 or a nurse practitioner.

12 "Hepatitis C-related test" means any of the following tests
13 that detect the presence of hepatitis C antibodies in the
14 blood:

15 (1) a laboratory screening test approved by the federal
16 Food and Drug Administration;

17 (2) a rapid point-of-care test approved by the federal
18 Food and Drug Administration; or

19 (3) any other test approved by the federal Food and
20 Drug Administration.

21 "Hospital" means a duly licensed institution as defined in
22 the Hospital Licensing Act or the University of Illinois
23 Hospital as defined in the University of Illinois Hospital Act.

1 "Primary care" means the medical fields of family medicine,
2 general pediatrics, primary care, internal medicine, primary
3 care obstetrics, or primary care gynecology, without regard to
4 board certification.

5 Section 10. Required offering of hepatitis C-related
6 testing.

7 (a) Every individual born between the years of 1945 and
8 1965 who receives health services from a hospital as an
9 inpatient or in the emergency department of a hospital or who
10 receives primary care services in an outpatient department of a
11 hospital or who receives health services from a health care
12 practitioner providing primary care shall be offered a
13 hepatitis C-related test, unless the health care practitioner
14 providing the services reasonably believes that the
15 individual:

16 (1) is being treated for a life-threatening emergency;

17 (2) has previously been offered or has been the subject
18 of a hepatitis C-related test (except that a test shall be
19 offered if otherwise indicated); or

20 (3) lacks capacity to consent to a hepatitis C-related
21 test.

22 (b) If an individual accepts the offer of a hepatitis
23 C-related test and the test is reactive, then the health care
24 provider shall either offer the individual follow-up health
25 care or refer the individual to a health care provider who can

1 provide follow-up health care. The follow-up health care shall
2 include a hepatitis C diagnostic test.

3 (c) The offering of hepatitis C-related testing under this
4 Act shall be culturally and linguistically appropriate in
5 accordance with rules adopted by the Director.

6 (d) The Director shall adopt rules to carry out the
7 provisions of this Act.

8 Section 15. Scope of practice. This Act shall not affect
9 the scope of practice of any health care practitioner or
10 diminish any authority or legal or professional obligation of
11 any health care practitioner to offer hepatitis C-related tests
12 or provide services or care for the subject of a hepatitis
13 C-related test.

14 Section 99. Effective date. This Act takes effect January
15 1, 2016.